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BOOK REVIEWS.

CHARLES S. BULKLEY, *Editor-in-Charge.*

SELECTED ESSAYS ON ANGLO-AMERICAN LEGAL HISTORY. By Various Authors. Boston: Little, Brown & Company. 1907. Vol. I. pp. ix, 847.

This very handsomely printed book is the first of three volumes of essays upon topics in our legal history, which have been selected and edited by a committee of the Association of American Law Schools. The second volume is to appear in 1908, while volume three is to be ready in 1909. The editing committee consists of Professors Freund, of the University of Chicago, Mikell, of the University of Pennsylvania, and Wigmore, of Northwestern University—an admirable combination for the performance of the work in hand. Dean Wigmore, the chairman, has urged the desirability of such a publication for several years, and is to be congratulated upon winning the Association to the hearty support of his views.

In its report of 1906, the Committee gave the following as some of the prime reasons for this publication: "The study of the history of the various branches of law is now much obstructed by the virtual inaccessibility of a great amount of important material, which exists in print, but is through several circumstances practically going to waste. The chief circumstance is that it consists of articles scattered through serial journals of from twenty to forty volumes, of which only one or two sets are usually kept in any library. The result is that when a class of fifty or a hundred students is set to read an article of prime value in some subject, one of two things happens: either the bulk of the class becomes discouraged at finding the volume already taken out by some enterprising student; or, if they persist, and the bulk of the class manages to read the article, it is worn out and becomes illegible in a year or two, and is thereby useless, unless the set to which it belongs is entirely or partly replaced at great expense. Between these two dilemmas very little of such reading comes to be done."

Hence the committee has undertaken "to assemble in one convenient form those essays which are of permanent value, and would otherwise fail of the constant and wide perusal which they deserve, etc." In the execution of this plan the editors believe that they have furnished "a fairly complete skeleton of legal history since Norman times—a compact working library to illumine in outline the period of the last six centuries."

In this belief we concur, after a careful perusal of the present volume and of the table of contents of the second and third volumes. We concur, too, in the opinion of the committee that every law school should have several sets of these essays upon its shelves; and that, if it has them, the amount of voluntary reading by their students will be greatly increased. Nor do we entertain any doubt that these volumes will "help to stimulate a deeper and wider knowledge of the present meaning of our law as seen in the light of the past."

At the same time we are glad to note that the editors do not advocate the addition of a course in antiquarian legal research to the present law-school curriculum. Nor do they enter a plea for the extension of the law-

school course beyond the now generally accepted period of three years; either by a demand for preparatory training in legal history, or for the adoption of the historical method in the study of each course. These essays will serve the best purpose if they are employed as a stimulus to the thorough mastery of each course pursued by students in the Law School, and as a means of fine legal culture. Every zealous and capable student should be encouraged to supplement his class-room drill with excursions into the more alluring fields of legal history. If, however, his life work is to consist in giving wise advice to clients and in successfully defending their legitimate interests, those excursions must not be made in a sybaritic spirit. They must be held in subordination to his main purpose of equipping himself as a sound lawyer and sane counselor.

The contents of the present volume are fairly characterized by the title "General Surveys." Part I deals with the period before the Norman Conquest and is made up of essays by Maitland, Jenks and Pollock. Part II covers the period from the Norman Conquest to the eighteenth century. Part III is devoted to the American Colonial Period, and possesses peculiar interest for American lawyers. The essays in Part IV relate to the expansion and reform of the law in the nineteenth century, while Part V presents a sketch of the bench and bar from Norman times to the nineteenth century.

Of the twenty-one selections which make up this attractive volume we cannot speak in detail, and we have no thought of instituting invidious comparisons between them. All can be read with profit, and each contains a value of its own. If we were asked to advise any change in the contents, our suggestion would be to substitute for the last paper, entitled "An American Law Student of a Hundred Years Ago," by James Kent, that distinguished author's Introductory Lecture to the first course which he gave at Columbia, and which was reprinted in this REVIEW for May, 1903. We feel confident that if the Chancellor could be consulted on the subject his judgment would concur with ours.

PROBLEMS OF INTERNATIONAL PRACTICE AND DIPLOMACY, WITH SPECIAL REFERENCE TO THE HAGUE CONFERENCES AND CONVENTIONS AND OTHER GENERAL INTERNATIONAL AGREEMENTS. By SIR THOMAS BARCLAY. London: Sweet & Maxwell, Ltd. Boston: Boston Book Company. 1907. pp. xix, 383.

Though the results of the second conference at The Hague have fallen so far short of its programme and even of the anticipations of many not over-sanguine spectators, yet the value of such a book as Sir Thomas Barclay's *Problems of International Practice and Diplomacy*, despite its evident preparation in view of the conference, is nevertheless not any the less; in fact, it is greater now than if the conference had adopted and incorporated into international law the solutions therein suggested, for in that event its usefulness would be over, while at present it stands as the embodiment of lofty ideals towards which the nations may yet for many years continue to struggle. It is not by any means intended to suggest that Sir Thomas Barclay's solutions are not eminently practical, only that they are pushed